

1 AN ACT in relation to vehicles.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 6-500 as follows:

6 (625 ILCS 5/6-500) (from Ch. 95 1/2, par. 6-500)

7 Sec. 6-500. Definitions of words and phrases.

8 Notwithstanding the definitions set forth elsewhere in this
9 Code, for purposes of the Uniform Commercial Driver's License
10 Act (UCDLA), the words and phrases listed below shall have
11 the meanings ascribed to them as follows:

12 (1) Alcohol. "Alcohol" means any substance containing
13 any form of alcohol, including but not limited to: ethanol, ~~and~~
14 methanol, ~~and~~ propanol, and isopropanol.

15 (2) Alcohol concentration. "Alcohol concentration"
16 means:

17 (A) (a) the number of grams of alcohol per 210
18 liters of breath; or

19 (B) (b) the number of grams of alcohol per 100
20 milliliters of blood; or

21 (C) (c) the number of grams of alcohol per 67
22 milliliters of urine.

23 Alcohol tests administered within 2 hours of the driver
24 being "stopped or detained" shall be considered that driver's
25 "alcohol concentration" for the purposes of enforcing this
26 UCDLA.

27 (3) (Blank).

28 (4) (Blank).

29 (5) (Blank).

30 (6) Commercial Motor Vehicle.

31 (A) "Commercial motor vehicle" means a motor

1 vehicle, except those referred to in subdivision (B)
2 paragraph---(d), designed to transport passengers or
3 property if:

4 (i) (a) the vehicle has a GVWR of 26,001
5 pounds or more or such a lesser GVWR as subsequently
6 determined by federal regulations or the Secretary
7 of State; or any combination of vehicles with a GCWR
8 of 26,001 pounds or more, provided the GVWR of any
9 vehicle or vehicles being towed is 10,001 pounds or
10 more; or

11 (ii) (b) the vehicle is designed to transport
12 16 or more persons; or

13 (iii) (c) the vehicle is transporting
14 hazardous materials and is required to be placarded
15 in accordance with 49 C.F.R. Part 172, subpart F.

16 (B) (d) Pursuant to the interpretation of the
17 Commercial Motor Vehicle Safety Act of 1986 by the
18 Federal Highway Administration, the definition of
19 "commercial motor vehicle" does not include:

20 (i) recreational vehicles, when operated
21 primarily for personal use; or

22 (ii) United States Department of Defense
23 vehicles being operated by non-civilian personnel.
24 This includes any operator on active military duty;
25 members of the Reserves; National Guard; personnel
26 on part-time training; and National Guard military
27 technicians (civilians who are required to wear
28 military uniforms and are subject to the Code of
29 Military Justice); ~~or~~

30 ~~(iii)---firefighting---and---other---emergency~~
31 ~~equipment-with-audible-and-visual-signals, owned--or~~
32 ~~operated--by--or-for-a-governmental-entity, which-is~~
33 ~~necessary-to-the-preservation-of-life-or-property-or~~
34 ~~the-execution-of--emergency--governmental--functions~~

1 ~~which--are--normally--not--subject--to--general--traffie~~
2 ~~rules--and--regulations.~~

3 (7) Controlled Substance. "Controlled substance" shall
4 have the same meaning as defined in Section 102 of the
5 Illinois Controlled Substances Act, and shall also include
6 cannabis as defined in Section 3 of the Cannabis Control Act.

7 (8) Conviction. "Conviction" means an unvacated
8 adjudication of guilt or a determination that a person has
9 violated or failed to comply with the law in a court of
10 original jurisdiction or an authorized administrative
11 tribunal; an unvacated forfeiture of bail or collateral
12 deposited to secure the person's appearance in court; the
13 payment of a fine or court cost regardless of whether the
14 imposition of sentence is deferred and ultimately a judgment
15 dismissing the underlying charge is entered; or a violation
16 of a condition of release without bail, regardless of whether
17 or not the penalty is rebated, suspended or probated.

18 (9) (Blank).

19 (10) (Blank).

20 (11) (Blank).

21 (12) (Blank).

22 (13) Driver. "Driver" means any person who drives,
23 operates, or is in physical control of a commercial motor
24 vehicle, or who is required to hold a CDL.

25 (14) Employee. "Employee" means a person who is
26 employed as a commercial motor vehicle driver. A person who
27 is self-employed as a commercial motor vehicle driver must
28 comply with the requirements of this UCCLA pertaining to
29 employees. An owner-operator on a long-term lease shall be
30 considered an employee.

31 (15) Employer. "Employer" means a person (including the
32 United States, a State or a local authority) who owns or
33 leases a commercial motor vehicle or assigns employees to
34 operate such a vehicle. A person who is self-employed as a

1 commercial motor vehicle driver must comply with the
2 requirements of this UCCLA.

3 (16) (Blank).

4 (17) Foreign jurisdiction. "Foreign jurisdiction" means
5 a sovereign jurisdiction that does not fall within the
6 definition of "State".

7 (18) (Blank).

8 (19) (Blank).

9 (20) Hazardous Material. Upon a finding by the United
10 States Secretary of Transportation, in his or her discretion,
11 under 49 App. U.S.C. 5103(a), that the transportation of a
12 particular quantity and form of material in commerce may pose
13 an unreasonable risk to health and safety or property, he or
14 she shall designate the quantity and form of material or
15 group or class of the materials as a hazardous material. The
16 materials so designated may include but are not limited to
17 explosives, radioactive materials, etiologic agents,
18 flammable liquids or solids, combustible liquids or solids,
19 poisons, oxidizing or corrosive materials, and compressed
20 gases.

21 (21) Long-term lease ~~Long-term-lease~~. "Long-term lease"
22 ~~"Long-term-lease"~~ means a lease of a commercial motor vehicle
23 by the owner-lessor to a lessee, for a period of more than 29
24 days.

25 (22) Motor Vehicle. "Motor vehicle" means every vehicle
26 which is self-propelled, and every vehicle which is propelled
27 by electric power obtained from over head trolley wires but
28 not operated upon rails, except vehicles moved solely by
29 human power and motorized wheel chairs.

30 (23) Non-resident CDL. "Non-resident CDL" means a
31 commercial driver's license issued by a state to an
32 individual who is domiciled in a foreign jurisdiction.

33 (24) (Blank).

34 (25) (Blank).

1 (25.5) Railroad-Highway Grade Crossing Violation.
 2 "Railroad-highway grade crossing violation" means a
 3 violation, while operating a commercial motor vehicle, of any
 4 of the following:

5 (A) ~~(1)~~ An offense listed in subsection (j) of
 6 Section 6-514 of this Code.

7 (B) ~~(2)~~ Section 11-1201 of this Code.

8 (C) ~~(3)~~ Section 11-1201.1 of this Code.

9 (D) ~~(4)~~ Section 11-1202 of this Code.

10 (E) ~~(5)~~ Section 11-1203 of this Code.

11 (F) ~~(6)~~ 92 Illinois Administrative Code 392.10.

12 (G) ~~(7)~~ 92 Illinois Administrative Code 392.11.

13 (H) ~~(8)~~ Any local ordinance that is similar to any
 14 of items (A) ~~(1)~~ through (G) ~~(7)~~.

15 (26) Serious Traffic Violation. "Serious traffic
 16 violation" means:

17 (A) ~~(a)~~ a conviction when operating a commercial
 18 motor vehicle of:

19 (i) a violation relating to excessive
 20 speeding, involving a single speeding charge of 15
 21 miles per hour or more above the legal speed limit;
 22 or

23 (ii) a violation relating to reckless driving;
 24 or

25 (iii) a violation of any State law or local
 26 ordinance relating to motor vehicle traffic control
 27 (other than parking violations) arising in
 28 connection with a fatal traffic accident; or

29 (iv) a violation of Section 6-501, relating to
 30 having multiple driver's licenses; or

31 (v) a violation of paragraph (a)₇ of Section
 32 6-507, relating to the requirement to have a valid
 33 CDL; or

34 (vi) a violation relating to improper or

1 erratic traffic lane changes; or
2 (vii) a violation relating to following
3 another vehicle too closely; or
4 (B) ~~(b)~~ any other similar violation of a law or
5 local ordinance of any state relating to motor vehicle
6 traffic control, other than a parking violation, which
7 the Secretary of State determines by administrative rule
8 to be serious.

9 (27) State. "State" means a state of the United States,
10 the District of Columbia and any province or territory of
11 Canada.

12 (28) (Blank).

13 (29) (Blank).

14 (30) (Blank).

15 (31) (Blank).

16 (Source: P.A. 92-249, eff. 1-1-02; revised 9-19-01.)